

Senate Bill 368 **PRE-FILE**

By: Senators Golden of the 8th, Zamarripa of the 36th and Stoner of the 6th

A BILL TO BE ENTITLED

AN ACT

To create and establish the "Georgia Higher Education Protection Act of 2006"; to amend Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the University System of Georgia, so as to provide that the board of regents shall determine residency and admission requirements for institutions within the university system; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Georgia Higher Education Protection Act of 2006."

SECTION 2.

Part 2 of Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the University System of Georgia, is amended by striking Code Section 20-3-66, relating to the University System of Georgia, in its entirety and inserting in its place a new Code Section 20-3-66 to read as follows:

"20-3-66.

(a) The board of regents has exclusive authority to establish admission and residency requirements for institutions within the university system.

(b) For the purposes of determining resident status for tuition or fees, no person who has attained the legal age of majority shall be deemed to have gained residence while attending any educational institution in this state as a full-time student, as such status is defined by the board of regents, in the absence of a clear demonstration that he or she has established domicile in this state and has otherwise complied with the rules governing the residency status of students as adopted by the board.

1 (c) The residence, for tuition or fee purposes, of any person receiving regular financial
2 assistance from his or her parent, or whose parent's income was taken into account by any
3 private or governmental agency furnishing financial educational assistance to such person,
4 including scholarships, loans, or otherwise, shall be the same as that of his or her parent.
5 In the event such person's parents have separate domiciles, his or her residence for tuition
6 or fee purposes shall be the domicile of the parent furnishing him or her the greater
7 financial assistance or the parent having the larger income if neither furnishes such
8 assistance."

9 **SECTION 3.**

10 This Act shall become effective upon its approval by the Governor or upon its becoming law
11 without such approval.

12 **SECTION 4.**

13 All laws and parts of laws in conflict with this Act are repealed.